IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 1340 OF 2004

The Chief Executive Officer,
Zilla Parishad, Nashik. ... Petitioner.

V/s.

Shri Bhagwan Jairam Shewale. ... Respondents.

R.V.More with Bhushan for the petitioner.

None for the respondent.

CORAM: V.C.DAGA, J.

DATED: 26th April 2006.

P.C.:

. Heard learned counsel for the petitioner.

. It is not in dispute that the complainant-workman (respondent herein) has been appointed against the vacant post and is working right from 1986. He has completed almost more than 17 years of service and has worked for more than 240 days continuously in every year. A person cannot be kept working on temporary basis for decades together. From the fact that the complainant-workman was allowed to work on temporary basis almost for more than 17 years indicates that there was and is a permanent nature of work. In that view of the matter, no fault can be found with the

directions issued by the Industrial Court in the impugned order passed in Complaint (ULP) No.5/2000. No case is made out to interfere with the impugned order. The view taken is a reasonable and possible view. Petition is without any substance and is liable to be dismissed.

. In the result, petition is dismissed in limine with no order as to costs.

(V.C.DAGA, J.)